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Attorney for Defendants
CLINTON KILLIAN, ARTHUR BURNETT
and MT. ZION SPIRITUAL TEMPLE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LILLIE MAE JEFFERSON, et al

Plaintiff,

v.

CLINTON KILLIAN, et al.,

Defendants.

Case No.: C-08-00123 CRB

**NOTICE OF MOTION AND MOTION
FOR ADMINISTRATIVE RELIEF TO
CONSIDER WHETHER CASES SHOULD
BE RELATED OR A REQUEST FOR
JUDICIAL REFERRAL FOR PURPOSES
OF DETERMINING RELATIONSHIP OF
CASES UNDER CIVIL L.R. 3-12**

**Date: March 21, 2008
Time: 9:00 am
Courtroom 8, 19th Floor
Honorable Charles R. Breyer**

Defendants CLINTON KILLIAN and MT. ZION SPIRITUAL TEMPLE, INC. hereby
request that the court consider and assign this case to Judge Charles R. Breyer for determination
of related case with *Welbon v. Burnett*, USDC Case No: 07-04248 CRB and *Patterson v.
Killian*, USDC Case No: 07-00951 CRB.

This case has been filed by Plaintiff EDDIE WELBON who has filed 8 federal actions
throughout the country. On December 28, 2007 the Tennessee court referred these matters to

1 Northern California by court order. The case was then assigned to Judge Claudia Wilken. Under
2 Civil L.R. 3-12 the court can make a judicial determination that the cases are related and refer
3 them to the original judge.

4 In the first Northern California case filed by WELBON, *Patterson v. Killian*, USDC
5 **Case No: C-07-00951**, Judge Breyer entered an order dismissing the case. In the latest filing by
6 WELBON, *Welbon v. Burnett*, USDC **Case No: 07-04248 CRB**, Judge Jeffrey S. White issued
7 an order for determination that was granted and accepted by Judge Breyer. There is currently a
8 motion to dismiss and for sanctions by Defendants and a Case Management Conference
9 scheduled for March 21, 2008 in Judge Breyer's court.

10 It is hereby requested that this case be referred to Judge Breyer so that the final
11 determination of the claims of WELBON can be made by Judge Breyer who now has all the
12 related cases filed by WELBON.

13 RESPECTFULLY SUBMITTED.

14 Dated: March 10, 2008

15 _____/S/_____
CLINTON KILLIAN, Attorney for Defendants

1 **Jefferson v. Killian, et al.**

2 **U.S. District Court Northern District of CA San Francisco Division Case No: C08-00123**

3 **CERTIFICATE OF SERVICE**

4 STATE OF CALIFORNIA, COUNTY OF ALAMEDA:

5 I hereby certify that I am employed in the County of Alameda, State of California. I am
6 over the age of 18 and not a party to the within action; my business address is Leamington
7 Building, 1814 Franklin Street, Suite 805, Oakland, California 94612.

8 On March 10, 2008, I served the foregoing document described as:

9 **NOTICE OF MOTION AND MOTION FOR ADMINISTRATIVE RELIEF TO**
10 **CONSIDER WHETHER CASES SHOULD BE RELATED OR A REQUEST FOR**
11 **JUDICIAL REFERRAL FOR PURPOSES OF DETERMINING RELATIONSHIP OF**
12 **CASES UNDER CIVIL L.R. 3-12**

13 on all interested parties in this action by placing a true copy thereof enclosed in a sealed
14 envelope addressed as follows:

15 Eddie Welbon
16 1488 14th Street
17 Oakland, CA 94612

18 Carolyn Cunningham
19 1488 14th Street
20 Oakland, CA 94612

21 Gerald Patterson
22 1488 14th Street
23 Oakland, CA 94612

24 Gregory Richardson
25 1488 14th Street
Oakland, CA 94612

Jackie Williams
1488 14th Street
Oakland, CA 94612

Lillie Mae Jefferson
1488 14th Street
Oakland, CA 94612

William Canson
1488 14th Street
Oakland, CA 94612

26 I am familiar with the office's practice for depositing mail, and that correspondence
27 would be deposited in the mail on the same day, and that the document served was placed for
28 deposit in accordance with the office practice with postage thereon fully prepaid to be placed in
29 the United States mail at Oakland, California.

1 I declare under penalty of perjury under the laws of the State of California, that the above
2 is true and correct. Executed on this date in Oakland, California.

3 Dated: March 10, 2008

4 _____/S/_____
Nicole Hancox